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Report of the Secretary-General on the situation in Abkhazia, Georgia

I. Introduction

1. The present report is submitted pursuant to Security Council resolution 1582 (2005) of 28 January 2005, by which the Council decided to extend the mandate of the United Nations Observer Mission in Georgia (UNOMIG) until 31 July 2005. It provides an update of the situation in Abkhazia, Georgia, since my report of 17 January 2005 (S/2005/32).

2. My Special Representative for Georgia, Heidi Tagliavini, continued to head UNOMIG. She was assisted in this task by the Chief Military Observer, Major General Hussein Ahmed Eissa Ghobashi (Egypt). The strength of UNOMIG on 1 April 2005 stood at 121 military observers and 11 civilian police officers (see annex).

II. Political process

3. During the period under review, UNOMIG, led by my Special Representative, continued to carry out its mandated tasks and to promote dialogue between the Georgian and Abkhaz sides on political and security issues, the return of refugees and internally displaced persons, and economic cooperation. The Group of Friends actively supported those efforts, the ultimate aim of which is to create the necessary trust for meaningful negotiations between the parties on a comprehensive political settlement of the conflict based on the paper entitled "Basic Principles for the Distribution of Competences between Tbilisi and Sukhumi" and its transmittal letter (see S/2002/88, para. 3).

4. During the reporting period, a new leadership emerged in Sukhumi, and the inauguration of Sergey Bagapsh as de facto President on 12 February paved the way for renewed discussions between the parties. However, two unsuccessful attacks on vehicles carrying the de facto Prime Minister, Alexander Ankvab, on 28 February and 1 April near Sukhumi underlined the continuing fragility of the situation in Sukhumi.

5. In Tbilisi, events were affected by the death of the Prime Minister, Zurab Zhvania, on 3 February 2005. Following the appointments of Zurab Nogaideli as the new Prime Minister and Irakli Alasania as President Saakashvili's Special

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Representative for a Georgian-Abkhaz settlement, the Georgian leadership underlined its continued desire for a renewed engagement in the peace process.

6. On 16 March, Abkhaz officials announced that, on the previous day, Georgian coastguard patrol boats had attempted to intercept a foreign cargo ship in waters near Sukhumi. They reported another Georgian coastguard boat near Sukhumi on 16 March. The Abkhaz side called the incidents an attempt to compel the Abkhaz side once again to withdraw from the negotiation process. The Georgian side denied the allegations. My Special Representative immediately initiated direct communication between the sides in an effort to clarify the situation and defuse the tension.

7. During this period, the consistent efforts of my Special Representative to defuse tensions and prepare the ground for the resumption of dialogue between the parties were supported by the Group of Friends and the Russian Federation, in its capacity as facilitator. My Special Representative briefed the Group of Friends in New York on the periphery of Security Council consultations in January. Ambassador Uwe Schramm, the German Ambassador to Georgia and Coordinator of the Tbilisi-based Group of Friends, visited Sukhumi at the end of January. Early in February, Sir Brian Fall, the United Kingdom Special Representative for the South Caucasus, visited Tbilisi and Sukhumi. At the same time, my Special Representative continued to be in contact with Heikki Talvitie, the European Union Special Representative for the South Caucasus, and held consultations with Robert Simmons, the NATO Special Representative for the Caucasus and Central Asia. She also met in Tbilisi with Laura Kennedy, the United States Deputy Assistant Secretary of State, and Elisabeth Rood, Deputy to the United States Special Negotiator for Eurasian Conflicts.

8. From 14 to 17 February, the Under-Secretary-General for Peacekeeping Operations visited Tbilisi and Sukhumi. Accompanied by my Special Representative, the Under-Secretary-General met with the top leadership of the two sides, the Ambassadors of the Group of Friends, the Commander of the collective peacekeeping forces of the Commonwealth of Independent States (CIS), and representatives of United Nations agencies and other international organizations. While acknowledging the differences in the positions of the two sides on the underlying issues of the conflict, in particular concerning status, the Under-Secretary-General encouraged the sides to seek progress on matters of practical cooperation in the three priority areas of the peace process, wherever possible, without prejudice to their position of principle. In response, both the Georgian and the Abkhaz side expressed willingness to resume dialogue on issues related to security, the return of refugees and internally displaced persons, and economic cooperation, and agreed to participate in the next high-level meeting with the Group of Friends at Geneva.

9. Further efforts by my Special Representative, in consultation with the two sides, to consolidate the ground for the resumption of the peace process followed the visit. In addition, Ambassador Norbert Baas, Special Envoy of the German Foreign Office for Russia, the South Caucasus and Central Asia, visited Tbilisi and Sukhumi in March. At the same time, my Special Representative travelled to Moscow to meet with Valery Loshchinin, First Deputy Foreign Minister and Special Representative of the President of the Russian Federation for the Georgian-Abkhaz settlement.

Ambassador Steven Mann, United States Special Negotiator for Eurasian Conflicts, also visited Tbilisi and Sukhumi, on 11 and 12 April.

10. On 7 and 8 April, under the chairmanship of the Under-Secretary-General for Peacekeeping Operations, high-level representatives of the Group of Friends of the Secretary-General met at Geneva, with the participation of the parties. The Georgian delegation was led by the State Minister for Conflict Resolution, George Khaindrava, and the Abkhaz delegation was led by the de facto Foreign Minister, Sergey Shamba. This was the second time that the two parties had participated in the Geneva meetings since February 2003 and the first time since suspension of the contacts in July 2004. My Special Representative also participated, and a representative of the Office of the United Nations High Commissioner for Refugees (UNHCR) briefed the group.

11. Together with the United Nations representatives, the Friends held separate meetings with each side in order to explore their respective concerns and possible areas for follow-up discussions between the sides. During the exchange, the Georgian side emphasized its willingness to pursue practical discussions with the Abkhaz side, including in the economic field, but also emphasized the right of refugees and internally displaced persons to return and, in this context, the need for measures to address human rights and security in the Gali district. The Abkhaz side, for its part, undertook to pursue the opening of a branch human rights office of UNOMIG and Georgian-language instruction in the Gali district, but stressed its security concerns, and urged that militant rhetoric in Tbilisi be avoided. It also urged that restrictions imposed by CIS in 1996 should be lifted, and emphasized that economic projects, such as the reopening of the Sochi-Tbilisi railway, could assist in building confidence between the sides. Both parties reacted positively to the proposals presented by UNHCR, which aim to build trust and confidence at the grass-roots level, verify the numbers and needs of the displaced population, and develop mechanisms for monitoring and protection, addressing basic social and economic needs and creating conditions conducive to future returns. The Friends also discussed a proposal by Germany to host a conference on economic confidence-building and cooperation, which could provide an opportunity for the parties to explore mutually beneficial economic projects.

12. The discussions in Geneva highlighted the differing priorities of the two sides, and the importance of building trust between them if there is to be progress on political issues. The presence of the parties did confirm their willingness to re-engage with one another and paved the way for renewed discussions in the relevant task forces and working groups established in the three priority areas.

13. Following the Geneva meeting, my Special Representative led a joint visit of senior representatives from both sides to Italy, to study the successful experience in the field of institution-building and economic development in the autonomous region of Trentino-South Tyrol, at the invitation of the Government of Italy and the local authorities. The visit, from 9 to 13 April, provided the two sides with an opportunity to assess at first hand the institutional and economic transformation of the region and its provinces, the development of a sustainable economy based on agriculture and tourism in a similar climatic and geographical environment, and the devolution of competencies and instruction in the mother tongue, eventually leading to economic prosperity and successful social integration of various local linguistic

and ethnic populations. The sides expressed interest in follow-up exchanges with the region in addressing outstanding practical issues.

III. Operational activities

14. During the reporting period, UNOMIG continued regular patrols in the security zone and the restricted weapons zone on both sides of the ceasefire line. During the patrols, UNOMIG reported two violations of the Moscow Agreement by the Abkhaz side. On 1 February, 13 T-55 tanks and two BMP-2 armoured personnel carriers were observed in the Ochamchira training area in the Gali sector restricted weapons zone. On 31 March, three Abkhaz tanks were observed in the same area, where the Abkhaz side also restricted the freedom of movement of a UNOMIG patrol. UNOMIG protested about these violations to the Abkhaz side.

15. The weekly quadripartite meetings and the work of the Joint Fact-finding Group continued regularly, with the exception of two meetings in the first half of March which were cancelled, owing to the absence of representatives of the Abkhaz side and the CIS peacekeeping force. Their absence was linked to an incident on 28 February between Abkhaz security personnel and the CIS peacekeeping force at the main Inguri River bridge, which was later resolved.

16. The Joint Fact-finding Group concluded its investigation into an incident that occurred on 11 January, on the eve of the repeat elections for the de facto Abkhaz presidency, in which increased activity by Abkhaz militia and special forces units culminated in an operation in the Ganmukhuri area (on the Georgian-controlled side of the ceasefire line). The operation, which resulted in the detention of 17 people, several of them on the Georgian-controlled side of the ceasefire line, led to increased tension on the ground and the deployment of additional Georgian detachments along the ceasefire line. The investigation concluded that the Abkhaz forces had violated the Moscow Agreement by unintentionally crossing the ceasefire line. It also concluded that neither side had exceeded the agreed limit of 600 personnel in the security zone.

Gali sector

17. The overall situation in the Gali sector remained generally calm during the reporting period, but a total of 20 robberies, one abduction, one shooting and 21 cases of detention were recorded. In four of the robberies, the victims sustained major injuries and one died. In addition, there was an attempted burglary of a house occupied by United Nations personnel, during which a shotgun was fired.

Zugdidi sector

18. The overall situation in the Zugdidi sector also remained generally calm during the reporting period, but several criminal incidents were recorded. On 30 January, a Georgian police patrol was ambushed during an anti-smuggling operation along the Inguri River in the area of Shamgona (in the security zone). During the exchange of fire, one police officer was killed and two others seriously injured. The Joint Fact-finding Group is currently investigating the incident. In another incident on 21 March, a Georgian special-purpose unit of the Interior Ministry, deployed in Ganmukhuri close to the ceasefire line, detained four CIS peacekeeping soldiers who, according to the Georgian officers, lacked clearly marked CIS insignia. The

peacekeepers were released on the same day after their identity was confirmed. On the following day, the CIS peacekeeping force temporarily encircled the headquarters of the Georgian unit, questioning the right of such a unit to be deployed in close proximity to the ceasefire line. The Georgian State Minister for Conflict Resolution and the Commander of the CIS peacekeeping force, Lieutenant General Alexander Evteev, met jointly with a UNOMIG representative on 24 March to discuss the incident. They agreed that the Joint Fact-finding Group would investigate and accepted the proposal of UNOMIG that a special meeting be convened to discuss possible mechanisms that would prevent such incidents in the future. On 10 April, following a decision taken at the weekly quadripartite meeting, the Georgian Interior Ministry unit was moved 150 metres away from the ceasefire line.

Kodori Valley

19. UNOMIG conducted four joint patrols with the CIS peacekeeping force to the Abkhaz-controlled lower Kodori Valley, most recently on 5 April. Three of the patrols were accompanied by UNOMIG engineers to assess road damage and estimate the costs of repair. UNOMIG is also reviewing the feasibility of resuming regular patrols in the upper Kodori Valley, which would require appropriate security guarantees from the two sides as well as progress on other related issues.

IV. Policing issues

20. During the reporting period, the UNOMIG civilian police component continued to operate on the Zugdidi side of the ceasefire line, where it maintained good cooperation with local law enforcement agencies. It provided input for the weekly quadripartite meetings and the investigations of the Joint Fact-finding Group, including forensic assistance. However, the refusal of the Abkhaz side to allow the deployment of the planned nine civilian police officers on the Gali side continued to hamper cross-ceasefire-line cooperation, to hinder progress in criminal investigations and to limit the effectiveness of preventive anti-crime efforts.

21. The UNOMIG civilian police component conducted on-the-job field training for Georgian police officers, in addition to providing a basic police training course and a management and guidance seminar. In addition, with sponsorship by the Government of Norway, UNOMIG civilian police together with visiting Norwegian police trainers provided a two-week training course in human rights and law enforcement issues for Georgian police management personnel and a crime prevention and community policing seminar for local authorities.

V. Cooperation with the collective peacekeeping force of the Commonwealth of Independent States

22. UNOMIG and the CIS peacekeeping force maintained regular contact and close cooperation at all levels throughout the reporting period. UNOMIG military observers and CIS troops conducted four joint patrols in the lower Kodori Valley. The CIS force assisted UNOMIG in recovering three Nyala patrol vehicles, which had become stuck in the soft roads near Pitchori in the lower Gali district, providing overnight security for the vehicles and providing recovery equipment.

VI. Human rights and humanitarian situation

23. During the reporting period, the United Nations human rights office in Abkhazia, Georgia, continued its efforts to promote human rights protection and to provide support to local non-governmental organizations.

24. On 19 and 20 February, the office facilitated the first visit to Sukhumi by Manfred Nowak, the Special Rapporteur of the Commission on Human Rights on torture and other cruel, inhuman or degrading treatment or punishment. The Special Rapporteur met with Abkhaz officials and with civil society representatives, visited pre-trial detention facilities, and interviewed convicted prisoners (see his preliminary note to the Economic and Social Council (E/CN.4/2005/62/Add.3)).

25. During the reporting period, the office followed up with local residents and Abkhaz authorities on several alleged cases of involuntary disappearance, religious intolerance and ill-treatment in detention. Several cases of denied access to detainees and reluctance to cooperate with the office were registered: on four occasions, human rights officers were not allowed to visit detainees in facilities under the control of the de facto Ministry of the Interior in Gulripshi district and in Sukhumi city.

26. The office continued, in partnership with the Office of the United Nations High Commissioner for Human Rights, the Organization for Security and Cooperation in Europe, the European Commission and bilateral donors, to facilitate and implement projects aimed at strengthening the non-governmental sector and building local capacity in protection and promotion of human rights. It also continued to provide legal advisory services to local residents and monitor trials and pre-trial detention facilities.

27. In March, the office, supported by UNOMIG police experts, commenced a seven-week training course in human rights and law enforcement in the militia training centre in Sukhumi.

28. United Nations agencies and international and non-governmental organizations continued their efforts to help vulnerable groups by providing access to food, medical aid and infrastructure assistance, as well as building the capacities of local organizations, developing peace education, empowering women and creating economic opportunities.

29. In the health sector, the assistance given by the United Nations Children's Fund, the International Committee of the Red Cross (ICRC) and Médecins sans frontières continued to focus on food security, the provision of medicines, testing kits and equipment to Abkhaz hospitals, the provision of free health services to vulnerable groups and the tuberculosis treatment programme. In the education sector, the efforts of UNHCR, ICRC and the United Nations Volunteers programme focused on distribution of educational materials, language, computer and business education, and education in basic humanitarian law.

30. In the rehabilitation sector, the United Nations Development Programme (UNDP) conducted assessments of the local microfinance, agriculture and water supply systems as part of its rehabilitation programme in the Gali, Ochamchira and Tqvarcheli districts. The European Commission continued rehabilitation activities at the Inguri Hydropower Plant. International non-governmental organizations, such as Première Urgence and Acción contra el Hambre, continued to implement small-

scale rehabilitation and community development projects. The United Nations Development Fund for Women helped to organize the first of a series of informal meetings of women leaders from the Gali, Ochamchira and Tqvarcheli districts. HALO Trust continued its demining operation and, to date, has cleared over 2.5 million square metres of land.

31. UNOMIG continued to contribute to those efforts through its trust fund for quick-impact projects, which also benefited from contributions from the Government of Switzerland. In addition, the Government of Switzerland seconded and financed, for the third consecutive year, a trust fund officer to the Mission. UNOMIG also continued to collaborate with UNDP and the European Union in preparation of a two-year joint rehabilitation programme for the Gali, Ochamchira, Tqvarcheli and Zugdidi districts.

VII. Observations

32. The willingness of the Georgian and Abkhaz sides to resume, after a prolonged suspension, their participation in the negotiation process is a welcome development, and may usher in a period of renewed possibilities for progress. The degree to which this potential can be realized will depend upon the parties' willingness to continue their engagement on practical issues and, ultimately, to address the core political questions that are central to achieving a comprehensive political settlement of the conflict. Sustained and coordinated external support will be crucial for progress. The United Nations stands ready to do its utmost to assist.

33. Since my previous report, I have been encouraged by signals from the two sides of their interest in the settlement of the conflict by peaceful means only and in engaging in a pragmatic manner on issues related to security, the return of refugees, economic cooperation and confidence-building measures. While basic differences in the underlying positions of the two sides remain, the renewed spirit of cooperation and dialogue is welcome and should be encouraged.

34. In order to maintain the momentum gained in Geneva, I encourage both sides to move forward through their resumed discussions in the relevant task forces and working groups. In order to ensure the trust necessary to allow progress, it is essential that both sides refrain from militant rhetoric. A joint formal affirmation by the two sides of their commitment to the non-resumption of hostilities and a peaceful settlement of the conflict could make a valuable contribution to this process. I welcome the positive reaction of the parties to the proposals of UNHCR, which should pave the way for the verification exercise. It is also encouraging to note the renewed willingness of the Abkhaz side to work towards the establishment in the Gali district of a UNOMIG branch human rights office, and to address the issue of the language of instruction in the area. I would encourage a similarly constructive approach to the deployment of UNOMIG civilian police in the Gali district.

35. The freedom of movement of UNOMIG personnel in implementing its mandated tasks must be respected. The Abkhaz authorities must ensure free and unrestricted access by the United Nations human rights office in Sukhumi to places of detention, in accordance with the mandate of the office.

36. The personal safety and security of United Nations personnel remains a priority matter, and I urge both sides to continue to ensure the safety of UNOMIG personnel at all times, and also to identify and bring to justice the perpetrators of criminal acts, including those responsible for the ambush of a UNOMIG bus in Sukhumi in September 1998, the shooting down of a UNOMIG helicopter in the Kodori Valley in October 2001, and hostage-taking incidents. Regular patrolling in the Kodori Valley remains an integral part of the Mission's mandate; cooperation by both sides on security matters and other related actions is essential to its resumption.

37. In conclusion, I would like to express my deep appreciation to my Special Representative for her untiring efforts to achieve a lasting solution to the conflict. I would also like to thank the Chief Military Observer and all the dedicated military and civilian personnel of UNOMIG for their courage and commitment in performing their duties in a difficult and often dangerous environment.

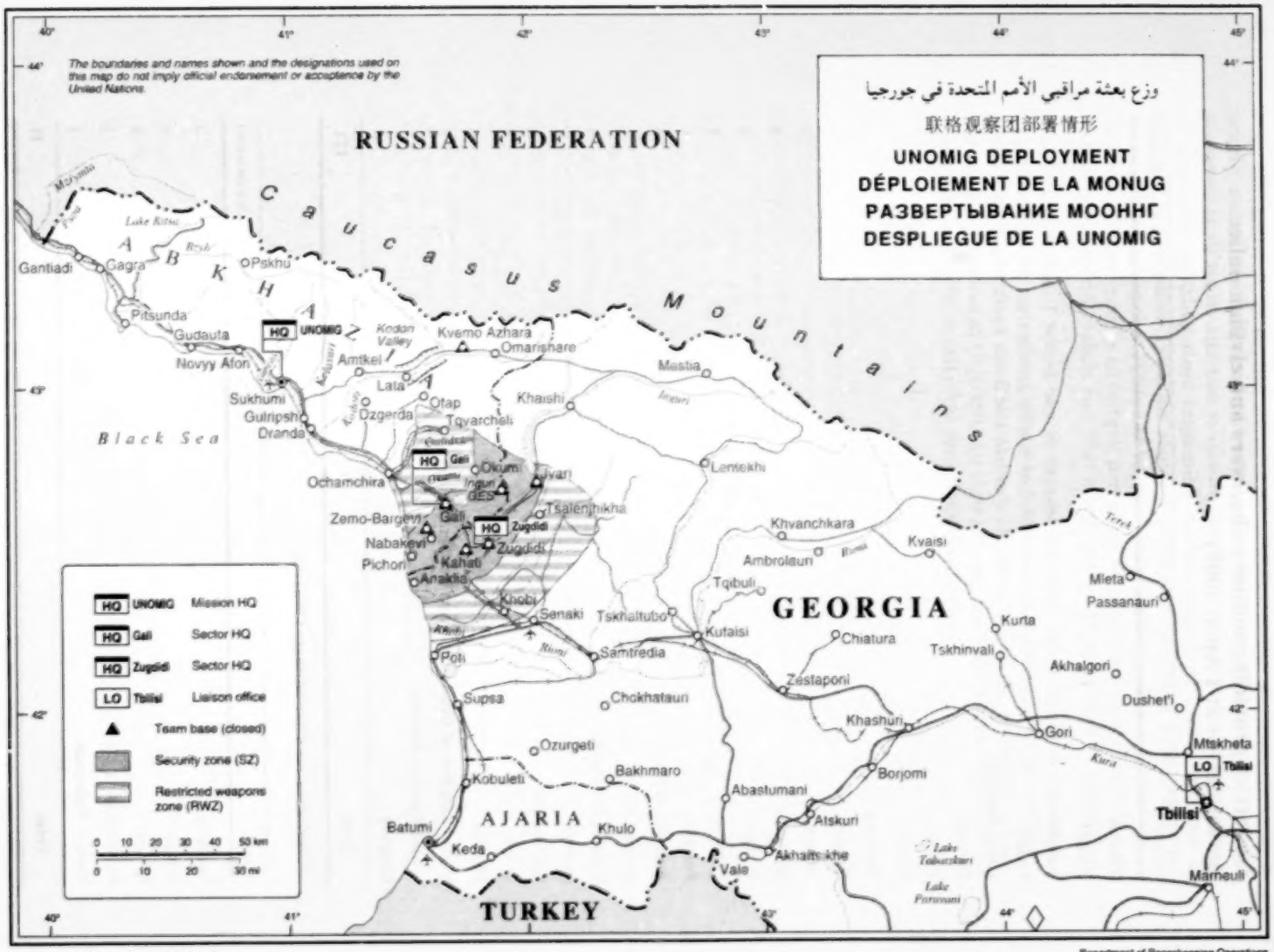
Annex

Countries providing military observers and civilian police personnel (as at 1 April 2005)

Country	*Military observers*
Albania	3
Austria	2
Bangladesh	7
Croatia	1
Czech Republic	5
Denmark	5
Egypt	6*
France	3
Germany	12
Greece	5
Hungary	7
Indonesia	4
Jordan	8
Pakistan	8
Poland	5
Republic of Korea	7
Romania	1
Russian Federation	3
Sweden	3
Switzerland	4
Turkey	5
Ukraine	5
United Kingdom of Great Britain and Northern Ireland	7
United States of America	2
Uruguay	3
Total	**121**

* Including the Chief Military Observer.

Country	*Civilian police personnel*
Germany	4
Hungary	2
Poland	1
Switzerland	3
Russian Federation	1
Total	**11**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وزع بعثة مراقبي الأمم المتحدة في جورجيا
联格观察团部署情形
UNOMIG DEPLOYMENT
DÉPLOIEMENT DE LA MONUG
РАЗВЕРТЫВАНИЕ МООННГ
DESPLIEGUE DE LA UNOMIG
RUSSIAN FEDERATION
Caucasus Mountains
Black Sea
GEORGIA
TURKEY
ABKHAZIA
AJARIA
HQ UNOMIG
HQ Gali
HQ Zugdidi
LO Tbilisi
Gantiadi
Gagra
Pskhu
Pitsunda
Gudauta
Novyy Afon
Sukhumi
Gulripshi
Dranda
Ochamchira
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Tsalenjikha
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Tsknaltubo
Kutaisi
Chiatura
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